

RELIGION AND ETHICS AS A GUIDELINES IN THE ADMINISTRATION OF GOVERNMENT

Utang Rosidin¹

ABSTRACT

Strengthening religion and ethics in the life of the state is clearly affirmed in Pancasila as the state ideology and the 1945 Constitution of the Republic of Indonesia as a State Constitution, and realized through the establishment of religious values and norms in the national legal system and government policies. The implementation of religious values in the administration of government is urgently needed, especially when the nation's moral condition in general is still very weak, such as the rise of lies, corruption, fraud, violence, radicalism, etc., both in people's lives and in political, legal and government life . Religious and ethical values are expected to also provide positive motivation and be the direction of the objectives of all development activities. Spiritual beliefs that arise from obedience to religion are expected to be a reliable determinant of development, so that the legitimacy of religion and ethics in a legal system is needed in various aspects of national and state life, and is expected to be a determinant of national integration, as a source of state ethics. finally became a guideline for the development of national development in various fields.

Keywords: Religion, Ethics, Legal System, Government

A. Introduction

Religion in the administration of the state is seen as one of the nation's spiritual receptacles, which is always expected to always be the driving force of people's lives as a godly nation, as a nation that adheres to the philosophy of the Pancasila. Since the beginning of the establishment of the Indonesian state, the founding fathers looked at the importance of the spiritual aspects of our nation. Indonesia is known as a country with a characteristic religious community, the belief in its religion is very strong, so that it affects the norms, values, culture, and daily behavior of its followers². The noble values of the nation's culture contained in the motherland repertoire and emit values that are relatively the same and

¹ Lecturer in the Legal Sciences Study Program, Faculty of Sharia and Law, UIN Bandung, Jl. AH. Nasution No. 105 Bandung, S1 in Legal Sciences UIN Bandung (2003), S2 in Legal Sciences from Padjadjaran University (2009), and a Doctor of Law in Padjadjaran University (2014). email, utangrosidin@uinsgd.ac.id

² Masdar Farid Masudi, *Syarah Constitution UUD 1945 Islamic Perspective*, Jakarta, Alvabet Library, 2010, page. 23

apply as an order of life in the whole country, with the formulation contained in the Pancasila³.

The founding fathers have formulated and finally agreed to establish Pancasila as a national ideology, in which a national religious view is implied, which upholds the values of the One Godhead. This is as determined in the constitution of the Republic of Indonesia, which is stated in Article 29 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that the state is based on the One Godhead, and Article 29 paragraph (2) which affirms the guarantee of independence each resident to embrace his religion and to worship according to his religion and beliefs.

The relationship between religion and state in the practice of Indonesian statehood gave birth to dialectics and polarization, a view that tended to be patterned and did not change much, thus eventually giving birth to theocratic, secular, communist, and moderating thoughts. The Theocracy holds that there is a significant relationship between religion and the state, as two things that cannot be separated. The secularists are of the view that between religion and state have no relation to each other, there is a separation and difference between religion and religion. The Communists were of the view that relations between the state and religion were based on the philosophy of materialism diverted and historical materialism, so that it would give birth to atheist notions, namely the views that negate God. As for moderation, it is a synthetic view between theocracy and secularism, which assumes that between the state and religion does not have a relationship like the relationship the theocracy has, and does not separate religion from the state like secularism. This notion holds that in religion there are good values, while the state has the power to manifest the goals of the state. Thus, the relationship between religion and the state is linked by the same values and systems⁴.

Indonesian is a country that philosophically recognizes the existence of religion in the life of the state, even religion as the basis of the state explicitly stated in Article 29 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, namely "State based on the One Godhead". Based on the formulation

³ Soemarno Soedarsono, *Nation and Character Building on Earth Indonesia*, NEGARAWAN, Journal of the Ministry of State Secretariat of the Republic of Indonesia, No. 23, 2012, page. 34

⁴ Deddy Ismatullah and Asep A Sahid Gatara, *State Science in Multi Perspektif*, Bandung, CV. Faithful Library, 2007, page 175-177

of the article, the Indonesian constitutional system recognizes the existence of God's sovereignty as the basis of the state, while also adhering to the existence of legal sovereignty and popular sovereignty, as stated in the Constitution of the Republic of Indonesia.⁵

Today the administration of the state is still faced with conditions that are not in accordance with the needs and changes in various fields of life in the community, nation, and state. This can be caused by unpreparedness to respond to the occurrence of a broad dimension of value transformation and the impact of various complex development problems. Meanwhile, the new order of society is faced with global hopes and challenges triggered by advances in the fields of science, information, communication, transportation, investment and trade. The conditions and rapid changes that followed the shift in values need to be addressed wisely through continuous and continuous activities in various aspects of development to build community trust in realizing national development goals. For this reason, a conception of the state administration system that contains values, perceptions, and behavioral references is needed that is capable of realizing a good state administration as mandated by the 1945 Constitution of the Republic of Indonesia so that the community obtains state administration in accordance with the goals and aspirations the establishment of the Unitary State of the Republic of Indonesia.

Actualize the noble values of religion and culture in personal, family, society, nation and state through formal, non-formal education, and giving examples of exemplary by state leaders, nation leaders and community leaders. In implementing the country in Indonesia the implementation of ethical values is still far from reality in realizing a good, clean, free corruption, collusion and nepotism, the quality of public services, capacity and accountability of bureaucratic performance, and the professionalism of bureaucratic apparatus.

The number of arrests against state administrators such as judges, members of Parliament, members of the DPRD, governors, regents, mayors, Bank Indonesia officials, party leaders, and ministers who are facing lawsuits or have

⁵ Ismail Sunny, *Our Democracy Mechanism*, Jakarta, 6th edition, 1987, page 7-8

been convicted in corruption cases. This nation is not the main system or rule, but morality and ethics⁶.

B. Religion as the Determinant of National Integration

Indonesia, which since the beginning of independence formulated the state as an integralistic country, certainly made efforts to strengthen the integration of the nation and state. Efforts to strengthen national integration and reduce the emergence of disputes and conflicts within the community, revitalization of ideology need to be emphasized as part of strengthening nationalism. This is done among others through the operational formulation of Pancasila ideologies that are more academic and more flexible and socialization of Pancasila both in formal education and in society.

Since the beginning of the formulation of the Pancasila and the 1945 Constitution of the Republic of Indonesia as the State Constitution of the Republic of Indonesia has been oriented towards the creation of peace by prioritizing compromise in the discussion process, especially in the formulation of Pancasila in the first principle, which is formulated as the One Godhead. Pancasila was proposed and then accepted as a form of compromise between groups who wanted the establishment of a State based on religious provisions with groups that wanted a secular state, so the formula was sought to satisfy both groups, even though the two groups were not fully satisfied with the formulation⁷.

The emergence of the reform era which from the beginning supported freedom, encouraged citizens to express their opinions, aspirations and interests freely and openly, including ideological expressions which were restricted or suppressed during the New Order. Among those expressions are excessive actions which give rise to conflicts, disputes and violence in the community, both with political, economic, ethnic, religious and so on. As a pluralistic society, since the beginning the Indonesian people have been known as moderate and tolerant religious communities, and even become an example of religious tolerance in the

⁶ Eka Martiana Wulansari, *Arrangement on Ethics of State Administrators in the Draft Law*, <https://rechtsvinding.bphn.go.id/jurnalonline/ETIKA%20PENYELENGGARA%20NEGARA.pdf>, accessed on Thursday, June 14, 2019

⁷ Dodik Ariyanto, *Getting Closer to the Process of the Birth of the Constitution and Ideology of the State of the Republic of Indonesia*, NEGARAWAN, Journal of the Ministry of State Secretariat of the Republic of Indonesia, No. 23, 2013, page.103

world. But in this reform era, the events of conflict between residents, including those with religious backgrounds, actually increased compared to the New Order era.

There was also an expression of freedom in the form of violence and radicalism, which actually disturbed the harmony and peace in the life of the nation and state and could even threaten the Unitary State of the Republic of Indonesia and diversity. This interaction relationship in a pluralistic society is certainly not easy to achieve harmony and peace, because each group can have different aspirations and interests and can have implications for the emergence of competition. Especially if each group develops its identity politics and group selfishness in the name of the expression of freedom and human rights.

Differences, disputes, and conflicts are actually things that cannot be avoided in the life of the nation and state, but if the conflict develops into violence, then this shows that some of the Indonesian people are still not civilized, and this is not even in accordance with the religious teachings that in Indonesia.

The inter-religious harmony is a pillar of national harmony is something dynamic, because thirst is maintained continuously from time to time. The harmony of life among the religious community itself means that the conditions of relations among religious people based on tolerance, mutual understanding, respect for equality in the practice of their religious teachings and cooperation in the life of society, nation and state in the Unitary State of the Republic of Indonesia based on the Pancasila and State Constitution The Republic of Indonesia in 1945. Therefore, the harmony of life between religious communities is a precondition that must be created for development in Indonesia.

All religious people must make a real contribution to the national development carried out by the Indonesian people. Religious values must be able to provide positive motivation and be the direction of goals in all development activities in Indonesia. Spiritual beliefs that arise from obedience to religion can be a reliable motor of development, while the moral values of development itself are never forgotten⁸.

Religious diversity, on the one hand, makes a positive contribution to national development. But on the other hand religious diversity can also be a

⁸ Wahyudi Kumorotomo, *State Administration Ethics*, Jakarta, PT. RajaGrafindo Persada, 2013, page. 113

potential source of conflict. Inter-religious harmony in Indonesia still leaves a lot of problems. The cases that appear related to this matter have not been completely eliminated. The cases of Cikesik, Ambon, Kupang, Poso and others still have problems.

The many conflicts that involve religion as the trigger require serious attention to take anticipatory steps, especially from a juridical perspective. This is important for achieving the peace of life of religious people in Indonesia. If this is ignored, it is feared that more serious problems will arise in the context of nation and state development in the fields of politics, economics, security, culture, and other fields. The Indonesian nation aspires to a peace-loving society and is bound by a sense of national unity to build a pluralistic country. This union no longer distinguishes religion, ethnicity, class, interests, and the like.

The role of the 1945 Constitution of the Republic of Indonesia as a unifier does not mean that the 1945 Constitution eliminates or denies the existence of diverse differences from all Indonesian people, the views of national figures and is the result of various views⁹. As a unifier, the 1945 Constitution must recognize, respect, and maintain every form of diversity, including religious diversity in order to create inter-religious harmony, so as stated in Article 28E concerning freedom of religion and worship, Article 28J regulates the limits of worship in order to create order, while Article 29 provides guarantees in carrying out their religion and beliefs.

The government is an institution that is first obliged to guarantee freedom of belief and everything that comes from it, one of the efforts in creating this inter-religious harmony is that there are several laws and regulations including:

- 1) Law Number 8 of 1965 concerning Prevention of Abuse and / or Blasphemy of Religion jo. Law Number 5 of 1969 concerning Statements of various Presidential Decrees and Presidential Regulations as laws.*
- 2) Joint Regulation of the Minister of Religion Number 9 of 2006 and Minister of Home Affairs Number 8 of 2006 concerning Guidelines for Implementation of Duties of Regional Heads / Deputy Regional Heads in Maintaining Religious Harmony, Empowering Religious Harmony Forums and Establishing Religious People.*

⁹ Sri Soemantri, *Constitutional Change Procedures and Systems*, Bandung, PT. Alumni, 2006, page. 76

- 3) *Joint Decree of the Minister of Religion and Minister of Home Affairs Number 1 of 1979 concerning Procedures for the Implementation of Religion Broadcasting and Foreign Assistance to Religious Institutions in Indonesia.*
- 4) *Joint Decree of the Minister of Religion and Minister of Home Affairs No. 1 / BER / Mdn-Mag / 1969 Regarding the Implementation of the Duties of Government Apparatus in Ensuring Order and Fluency in the Implementation of Development and Religious Worship by their Adherents.*

Various efforts continue to be made to strengthen national integration in the civilized process of democratization through efforts to strengthen the national insight, especially carried out by the MPR, through strengthening the four pillars of nationality, namely Pancasila, the 1945 Constitution, the Republic of Indonesia and diversity. This effort is carried out by revitalizing ideology as a platform of this very diverse Indonesian nation, while their level of education and welfare is generally still low which results in a low level of awareness of national harmony and integration. In this revitalization the formulation of Pancasila ideology is needed which is more academic and more open, so that the interpretation of Pancasila will not be sacred as in the past.

In an effort to strengthen this national insight, religion can make a positive contribution in revitalizing the Pancasila ideology. This means that religion should be an integrative (unifying) factor and not the opposite as a disintegrative (divisive) factor of the nation. With this function religious values and Pancasila become social capital for the harmonization and integration of the nation. To realize this function, a moderate religious understanding is needed by taking into account the conditions of the multi-ethnic, multi-religious and multi-cultural objects of Indonesian society.

This kind of understanding will be transformed into a moderate religious attitude and tolerance towards pluralism, not a religious attitude that is absolutist and radical. As a consequence, there are efforts to counter (counter) radicalism, both through security and legal approaches and religious (theological) approaches. The security or legal approach is not enough, especially for ideological radicalism, because the perpetrators actually feel proud to be punished and consider themselves to be heroes. Therefore, in addition to the security and legal approaches, it is also necessary to take a theological approach

that emphasizes the understanding of religious teachings that teach harmony and peace.

C. Religion as a Source of Ethics for State Organizers

The national ethics of life is a formula derived from religious teachings, especially universal ones, and the noble values of national culture reflected in Pancasila as a basic reference in thinking, behaving, and behaving in the life of a nation. The principles of ethics in national life emphasize honesty, trustworthiness, exemplary, sportsmanship, discipline, work ethic, independence, tolerance, shame, responsibility, maintaining honor, and dignity as citizens. The ethical dimension includes social and cultural ethics, political and government ethics, economic and business ethics, fair law enforcement ethics, scientific ethics, and environmental ethics.

The state recognizes the existence of religious institutions in the state and society. However, there are differences in the visions and aspirations of the citizens about the extent of the involvement of the religion in the country. In this context, the orientation of citizens about religion in the context of state life is quite varied, broadly speaking it can be classified into three forms.

***First, religion as an ideology**, which was developed by a group of people who wished to make religion a state ideology, its implementation in the form of the implementation of formal religious teachings in legislation. The orientation of this group on religion is greater than its orientation on nationalism, so that it will be able to create a dilemma if faced with the reality of a pluralistic nation. Moreover, in general this group has an absolutist and exclusive attitude in religion, besides sometimes politicizing religion to support these ideals.*

***Second, religion as a source of ethics-moral (moral)**, which is supported by those who have a national orientation greater than religious orientation. This orientation only supports the implementation of religious ethics (religio-ethics), and rejects the formalization of religion in the context of state life as outlined in national legislation. The position of religion as a source of moral-ethical formation is intended so that this nation has a clear philosophical foundation of moral ethics, not only based on good and bad criteria which can sometimes be very subjective or very temporal.*

***Third, religion as a source of ideology**, namely making religion as a sub-ideology or as one of the sources of Pancasila ideology. This group's view is more*

realistic and moderate, because even though this orientation seeks to implement ethics-moral as well as religious law or its principles in the life of nation and state, he still recognizes Pancasila as a state ideology. Pancasila is an open and flexible ideology, so religion is required to contribute to the elaboration of operational concepts in various fields in accordance with the development of society and the world. In this case religious values and norms become input and legitimacy for the establishment and strengthening of moral ethics and national systems and public policies. In addition, this orientation supports pluralism and high tolerance for the diversity of this nation, so that all citizens have the same position.

Strengthening ethics-moral (moral) through religion in the implementation of nation and state is needed, especially when the nation's moral condition in general is still very weak, such as the rise of lies, corruption, fraud, violence, radicalism, rape, selfishness, greed and so on, both in people's lives as well as political, legal and bureaucratic life.¹⁰

Religion is an element of experience that is considered to have the highest value, namely devotion to a power, which is believed to be the origin of everything, then which adds and preserves values and a number of expressions that are in accordance with the service, both by way of perform symbolic ceremonies or through acts that are individual or jointly¹¹.

Religious teachings contain the norms that are used as guidelines by their adherents in behaving and behaving. These norms refer to the attainment of noble values for the formation of personality and harmony of social relations in an effort to fulfill obedience to God. But in real life there are many deviations or changes from the above constellation, both individually and collectively.¹²

Various demands of the community during the period of the reforms related to the ethics of administering the government continued to be pursued by the government and the House of Representatives at that time by establishing laws and regulations governing the behavior of state administrators, including:

- 1. Law Number 28 of 1999 concerning the Implementation of a Country that is Clean and Free of Corruption, Collusion and Nepotism.*

¹⁰ Edward Aspinall and Marcus Mietzner (eds.), *Problems of Democratizations in Indonesia: Elections, Institutions and Society*, ISEAS, Singapore, 2010, page 17.

¹¹ Inu Kencana Syafai, *Government Ethics*, Jakarta, PT. Rineka Cipta, 2010, page. 120

¹² Djalaluddin and Ramayulis, *Introduction to Religion*, Jakarta, Kalam Mulia, 1998. cet. To 4. page.129

2. *Law Number 31 of 1999 concerning Eradication of Corruption Crimes.*
3. *Law Number 20 Year 2001 concerning Amendment to Law Number 31 of 1999 concerning Eradication of Corruption Crimes.*

The formation of the regulation is based on the desire to constantly change orientation in the administration of government, from the previous many problems which ultimately harmed the people, changed with the administration of government controlled by legislation that contains values and ethics that must be held by state administrators.

D. Closing

The importance of religion and the values contained in an ethic is not only as a matter of community moral formation that determines behavior in a nation, but also as direction and encouragement for the community to play an active role together in building society, nation, and country to achieve the goals set by a country in the constitution, namely development in all fields including human development in order to achieve peaceful, peaceful, just and prosperous people's lives.

The direction of fostering religious life should be aimed at strengthening and strengthening national unity and unity. Strengthening the Pancasila as the state's ideology and the nation's ideology as a determinant of national integration, a source of state ethics, and continues to clarify and reinforce the role of religion as the country's direction in national development.

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